

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: YOUNG, Janel E., et al. Confirmation No. 1524
Serial No.: 10/780,452 Art Unit: 1615
Filed: 17 February 2004 Examiner: AZPURU, Carlos A.
For: DRUG-ENHANCED ADHESION PREVENTION
Docket No.: ETH5123 Customer No.: 25570

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTERVIEW SUMMARY AND RESPONSE

Dear Sir:

Applicants submit the following remarks in response to a telephone interview conducted with Supervisory Patent Examiner Robert Wax, on or about July 6, 2010.

REMARKS

During the telephone interview, Applicants' representative discussed the propriety of the Examiner's determination that Applicants' supplemental response filed April 15, 2010 was non-responsive, as set forth in the Office Communication of June 25, 2010.

Applicants' representative directed Mr. Wax's attention to pages 7-8 of the supplemental response, requesting that the double patenting rejection be held in abeyance until notification of allowable subject matter by the Examiner.

Mr. Wax agreed that such request was appropriate and that the response filed should have been entered by the Examiner. Mr. Wax also indicated that the double patenting rejection was provisional and that requiring the filing of a terminal disclaimer during the prosecution of the present application and the identified co-pending application was improper.

Mr. Wax indicated that Applicants are entitled to the issuance of another Office Action in the present application.

While no Office Action has issued to date, Applicants' representative received a call from Examiner Azpuru, today, indicating that a new non-final Office Action would be issued. As such, Applicants request that a non-final Office Action be issued as soon as possible to enable the further prosecution of this important application.

If the Examiner has any questions or wishes to discuss this application,

U.S. Serial No. 10/780,452

Response dated: July 19, 2010

Response to Office Action dated: June 25, 2010

the Examiner is invited to contact the undersigned representative at the number set forth below.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 50-2478 (14758).

Respectfully submitted,

Date: July 19, 2010



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